

locating the electrically insulating medium between the pole and the cross-arm to provide an electrically insulating barrier between the pole and the cross-arm.

REMARKS

Favorable reconsideration of the present application is respectfully requested. Claims 1-27 have been canceled and new claims 28-59 have been added. Although Applicant concurrently submitted a Preliminary Amendment with the original filing of this application on July 7, 2003, it does not appear to have been entered, since the rejections in the outstanding Office Action only address original Claims 1-27. Therefore, Applicant requests that the previously filed Preliminary Amendment not be entered. Accordingly, since Claims 28-54 of the Preliminary Amendment have not been entered, Applicant has started numbering of the new claims presented herein at Claim 28. Applicant believes that the Claims 28-59 as now presented are clearly allowable.

Submitted concurrently herewith is a corrected Figure 1 to show the exploded elements embraced by a bracket, as specified in 37 CFR § 1.84(h)(1).

The claim objection to Claim 17 under 37 CFR § 1.75(c), misnumbering of Claim 25; rejection of Claims 8-15 under 35 U.S.C. § 112, second paragraph; rejection of Claims 1-3, 5-14, and 16-27 under 35 USC 103(a) over Trost et al. (U.S. 6,142,434), and further in view of Shaffer (U.S. Patent Application No. 2001/0031329); and rejection of Claims 4 and 15 in over Trost et al. in view of Shaffer and Ishimori et al. (U.S. 4,085,010), are all rendered moot in light of the cancellation of Claims 1-27.

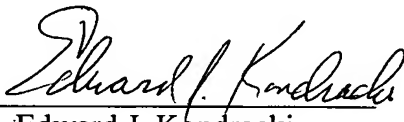
New independent Claims 28-59 patentably distinguish over the Trost et al. and Shaffer combination. Specifically, new independent Claims 28, 36, and 53 each recite a metallic cross-arm assembly coated with an electrically insulatory coating, which is not taught or suggested, either alone or in combination, by the Trost et al. and Shaffer patents. Therefore, there is no teaching or suggestion in the Trost et al. and Shaffer patent combination that the cross-arm would be metallic and coated with an electrically insulatory coating. In addition, the Shaffer patent is directed to a non-electrically insulatory insulation system for a chilled pipe that is in a technology area that is entirely distinct from the present invention. Accordingly, it would not have been obvious to one of skill in the art and, thus, one of skill in the art would not be motivated to combine the Trost et al. and Shaffer patents, since the water-pipe insulation of the Shaffer patent is not directed to providing metallic members that are electrically insulating.

Similarly, regarding new independent Claims 45 and 57, each recites a fastening system and a method of securing a cross-arm to a utility pole, respectively, and both recite a metallic clamping means coated with an electrically insulatory coating, which is not taught or suggested, either alone or in combination, by the Trost et al. and Shaffer patents. Therefore, there is no teaching or suggestion in the Trost et al. and Shaffer patent combination that the clamping means would be metallic and coated with an electrically insulatory coating. Accordingly, it would not have been obvious to one of skill in the art and, thus, one of skill in the art would not be motivated to combine the Trost et al. and Shaffer patents, since the water-pipe insulation of the Shaffer patent is not directed to providing metallic members that are electrically insulating.

Likewise, the Ishimori et al. patent fails to provide the necessary teaching or suggestion for the metallic and electrically insulatory cross-arm and/or clamping member that is missing from the Trost and Shaffer patents.

Accordingly, the claims are believed to be in condition for allowance and the Examiner is respectfully requested to issue a Notice of Allowance to that effect.

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